

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Brigitte St. Michel

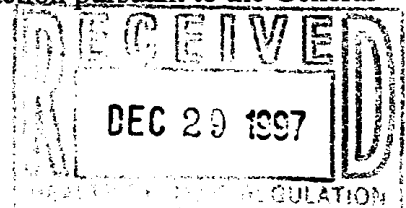
Petition No. 971212-020-014

CONSENT ORDER

WHEREAS, Brigitte St. Michel of North Haven, Connecticut (hereinafter "respondent") has been issued license number 041192 to practice as a hairdresser and cosmetician by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 387 of the Connecticut General Statutes, as amended; and,

WHEREAS, respondent admits the following:

1. She holds licensure as an occupational therapy assistant as well as a hairdresser in the State of Connecticut;
2. In March 1990, she was convicted of Criminal Trespass 3rd and Carrying a Dangerous Weapon which constitutes a felony under the laws of this State;
3. She has a history of a psychiatric condition;
4. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-263.

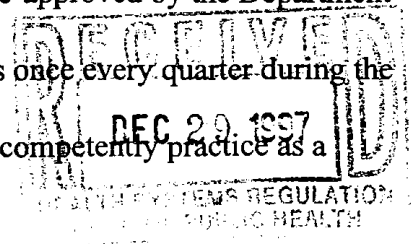


WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Board for Barbers, Hairdressers and Cosmeticians (hereinafter "the Board"), this Consent Order shall have the

same effect as if proven and ordered after a full hearing ~~held~~ pursuant to §§19a-10 and 20-263 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17, and 20-263 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license shall be placed on probation for a period of eighteen (18) months under the following terms and conditions:
 - a. If Respondent is employed as a hairdresser and cosmetician at any time during the term of her license probation, she shall provide a copy of this Consent Order to her employer(s).
 - b. Respondent's employer(s) shall provide written confirmation to the Department of receipt of such document within fifteen (15) days of commencement of respondent's employment.
 - c. Respondent shall be responsible for the provision of written reports which shall be submitted directly to the Department from her employer once every quarter during the period of time this Consent Order is in effect. Such reports shall state whether the respondent is practicing as a hairdresser and cosmetician with reasonable skill and safety.
 - d. Respondent shall participate in regularly scheduled therapy at her own expense with a psychiatrist or psychologist licensed in Connecticut and pre-approved by the Department (hereinafter "therapist"). The therapist shall submit reports once every quarter during the probationary period stating that respondent can safely and competently practice as a



hairdresser and cosmetician. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has expired. The therapist shall immediately notify the Department in writing if respondent fails to comply with any of the recommendations for treatment.

- e. Respondent shall comply with paragraphs 3.e) and 3.f) i-iv of the Prelicensure Consent Order, Petition No. 96-III-049-001, incorporated herein and attached hereto as "Attachment A."

- 3. All correspondence and reports are to be addressed to:

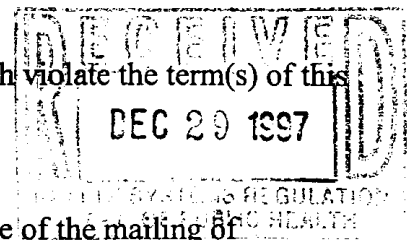
Bonnie Pinkerton
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

- 4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
- 5. Respondent shall pay all costs necessary to comply with this Consent Order.
- 6. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:

- a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.

- b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.

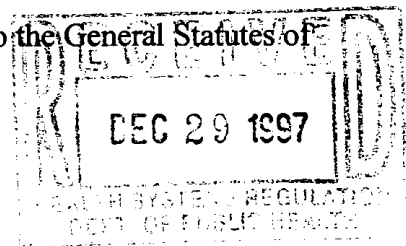
- c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 6a above to demonstrate to the satisfaction of the



Department that she has complied with the terms of this Consent Order or, in the alternative, that she has cured the violation in question.

- d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
- e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

- 7. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a hairdresser and cosmetician, upon request by the Department, with notice to the Board, for a period not to exceed forty-five (45) days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric and/or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that her failure to cooperate with the Department's investigation shall constitute an admission that her conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).



8. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.
9. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
10. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board and is retroactive to March 7, 1997.
11. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Board in which her compliance with this Consent Order or with §20-263 of the General Statutes of Connecticut, as amended, is at issue.
12. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
13. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.
14. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.

15. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board.
Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
16. Respondent understands and agrees that she is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which she is away from her residence.
17. Respondent has the right to consult with an attorney prior to signing this document.

I, Brigitte St. Michel, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Brigitte St. Michel
Brigitte St. Michel

Subscribed and sworn to before me this 24th day of December 1997.

Helene Rancier
Notary Public or person authorized
by law to administer an oath or affirmation
My Commission Expires 01/30, 1999

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 31st day of December 1997, it is hereby accepted.

Cynthia Denne
Cynthia Denne, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the _____ on the 8th day of June 1998, it is hereby ordered and accepted.

Reno R. Pelletier
Reno R. Pelletier, M.B., Chairman
Connecticut Examining Board for
Barbers, Hairdressers & Cosmeticians